



Chapter 7: Sexual Violence Recommendations

Sexual Violence is a violent crime that is underreported in most communities. In fact, it is estimated that only 16% of all sexual assaults ever come to the attention of law enforcement, with only about 2% resulting in prosecution. This is mainly attributable to the lack of support systems for victims who report being "re-victimized". The recommendations below attempt to identify strategies that, when implemented, will significantly increase community capacity to respond to sexual violence. This, in turn, will likely lead to an increase in victims coming forward to report their abuse.

Recommendations

Sexual Violence

The sexual violence community currently lacks a well-formed, centralized alliance representing the best interest of all sexual violence victims in the state. Ideally, stakeholders in the sexual violence community would collaborate to promote leadership on the issue, provide technical assistance to service providers, provide training throughout the state, and advocate for victims at the Arizona State Legislature on the need for better defined and enforced sexual violence laws. A well-formed alliance of sexual violence stakeholders would geographically, culturally and ethnically represent the State of Arizona.

Sexual Violence: 7.1

Increase the capacity of the sexual violence community to provide comprehensive sexual violence services and promote prevention, training, and public awareness activities statewide.

Sexual Violence: 7.2

Increase victims' access to comprehensive sexual violence crisis services.

Sexual assault victims should have access to comprehensive crisis services, including rapid, appropriate responses and interventions that can minimize the detrimental and long-term effects of the violence. Comprehensive services should include, at a minimum, development of multidisciplinary Family Advocacy Centers or sexual assault service provider centers statewide and regular and on-going communication among multi-disciplinary team (MDT) partners. Each MDT should include a trained forensic examiner, a law enforcement officer, an advocate, and a prosecutor.

Sexual Violence: 7.3

Develop a formal training network on issues of sexual violence, from prevention to crisis intervention to the criminal justice response.

Trained professionals that respond to incidents of sexual violence are essential for successful prosecution, offender accountability and victim healing. Currently, sexual assault training is sporadic and lacks uniformity across the state. Professional training is needed in the areas of sexual violence prevention/education, sexual violence issues and advances in practices, and sexual violence investigations. Professionals who need training include crisis advocates, members of the Sexual Assault Response Teams (SARTs), and partners in the multidisciplinary team (MDT).

Sexual Violence: 7.4

Repeal the Spousal Sexual Assault statute from the Arizona Revised Statutes (ARS).

Arizona is one of only 7 states that separately define spousal sexual assault in statute and the only state to maintain a lesser criminal penalty. Further, only 10 states require specific elements for prosecution not prescribed for non-spousal victims, including Arizona. Rape can and does occur in the context of marriage, and, according to a report in the November/December 2003 issue of Sexual Assault Report, is the most common form of sexual assault, occurring at least twice as often as stranger rape. Further, rape by a spouse is more likely to reoccur rather than be a one-time event. The Arizona legislature must address the differences in law so that marital rape is not treated as a lesser crime than stranger or acquaintance rape.



Currently, forensic evidence must be collected within the first 120 hours after a sexual assault. If a victim of sexual assault does not immediately wish to file a police report, he/she is not given the opportunity to receive a forensic exam within the first 120 hours. Oftentimes, victims of sexual assault may be too traumatized to immediately press charges. Victims should be allowed to have forensic evidence collected within the first 120 hours so that evidence is preserved if they want to press charges at a later date.

Sexual Violence: 7.5

Allow all victims of sexual assault the ability to obtain a forensic exam in the first 120 hours following the incident regardless of whether they immediately report to law enforcement.

Currently only 2% of sexual assault cases ever result in conviction in Arizona. Many prosecutors attribute this to the fact that there is only one classification of sexual assault, a class 2 felony. Many states have up to 10 varying classifications for sexual assault thereby increasing the likelihood of conviction. Increasing the levels of sexual assault in the Arizona Revised Statutes would likely increase the conviction rate of sexual assaults leading to increased accountability for sexual offenders in Arizona.

Sexual Violence: 7.6

Amend the Sexual Assault Statutes in Arizona state law to add varying levels of sexual violence crimes.

The Arizona and Mexico border has been identified as a main entry point for sex traffickers and their victims. Sex trafficking is a form of modern-day slavery and occurs when a commercial sex act is induced by force, fraud, or coercion, or when the person forced to perform such an act is under the age of 18. Passage of the Trafficking Victims Protection Act of 2000 made sex trafficking a serious violation of Federal law. A task force made up of key stakeholders to collaborate on issues related to sex trafficking is essential to help prevent sex traffickers from continuing to use the border as an entry point to transport victims throughout the country.

Sexual Violence: 7.7

Create a task force to study the severity of sex trafficking in Arizona and to develop strategies for working with victims in Arizona.



Sexual Violence: 7.8

Support the military's efforts to identify the problem of sexual abuse by military personnel against military personnel and to develop solutions for how to respond to victims and perpetrators.

Recently, escalating reports of sexual assault in all branches of the military have brought to light serious system flaws in reporting of sexual assault claims and assistance provided to victims. The U.S. Department of Defense and Congress are responding to this escalating trend by identifying steps that need to be taken to better assist victims and hold perpetrators accountable. Service providers in the state need to be supportive of Arizona's military bases' implementation of any changes that are ordered.

Sexual Violence: 7.9

Engage Arizona's public and private colleges and universities in raising awareness about the incidence of sexual violence on campus and in promoting appropriate responses, both towards the victim and the perpetrator.

Women ages 16-24 are four times more likely to be sexually assaulted than women in any other age group, making the college years especially vulnerable for young women. Further, women in this age group who are in college are more likely to be victims than women of the same age not in college. Sexual assault on college campuses is much more likely to be perpetrated by someone the victim knows. Campus based resource centers should make available both rape prevention and education programs as well as intervention services for victims of sexual abuse. Prevention programs need to target college women and be delivered by both professionals and peers on campus. Also, campus law enforcement agencies need to be prepared to immediately respond to incidents of sexual violence to reduce trauma for victims and enforce accountability for offenders.

